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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,023	07/28/2000	Shigeo Yamagata	35.C14654	2202
5514	7590	07/23/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PHAM, THIERRY L	
			ART UNIT	PAPER NUMBER
			2624	
DATE MAILED: 07/23/2004				

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/628,023	YAMAGATA ET AL.
	Examiner	Art Unit
	Thierry L Pham	2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on _____.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-14, 16-20, 24-27 and 31-48 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
 5) Claim(s) ____ is/are allowed.
 6) Claim(s) 1-14, 16-20, 24-27 and 31-48 is/are rejected.
 7) Claim(s) ____ is/are objected to.
 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____. 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 9.	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

1. This action is responsive to the following communication: an Amendment filed on 6/10/04.
2. Claims 15, 21-23, 28-30, 49-63 have been canceled by the applicants; therefore, these claims have been withdrawn from consideration.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-14, 16-20, 24-27, 31-48 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Yamaguchi et al (U.S. 5390003).

Regarding claim 1, Yamaguchi discloses an image processing apparatus (Fig. 5), comprising:

- (1) input means (image reading section for reading inputted image data, fig. 5, col. 2, lines 11-60) for inputting color image data;
- (2) judging means (deciding means for deciding whether the inputted image contains confidential pattern, col. 2, lines 10-61) for judging whether judgment has already been completed (fig. 21, judgment steps, col. 10, lines 5-65) of whether a color image composed of the color image data is a specific image (reference pattern, fig. 10, col. 3, lines 23-57); and
- (3) image judging means (bill-recognition processing section, fig. 5, col. 11, lines 53-67 to col. 12, lines 1-50) for judging whether the color image is the specific image if the judgment is not performed yet;
- (4) wherein said image judging means does not perform the judgment if the judgment by said judging means is being performed (if the current judgment is being performed, then it is not necessary to perform another judgment, cols. 10-12).

Regarding claim 2, Yamaguchi further discloses the image processing apparatus according to claim 1, further comprising: image forming means for forming a color image corresponding to the color image data, wherein said image forming means does not form (copy is prohibited if money is detected, abstract and col. 2, lines 11-62) the color image or forms an image that becomes worthless by copying if a result of the judgment having been already completed is that the color image composed of the color image data is the specific image or the image judgment by the image judging means shows that the color image composed of the color image data is the specific image.

Regarding claim 3, Yamaguchi further discloses the image processing apparatus according to claim 1, further comprising judgment result input means for inputting a result of judgment of whether the color image composed of the color image data is the specific image (deciding means, col. 2, lines 11-62 and col. 11, lines 31-67 to col. 12, lines 1-50), wherein judgment by the judging means is performed ahead of judgment by said image judging means (preliminary decision with respect to reference patterns, col. 11, lines 31-67 to col. 12, lines 1-50).

Regarding claim 4, Yamaguchi further discloses the image processing apparatus according to claim 1, wherein said specific image is a security such as a bank note and a traveler's check (paper money and security check, col. 2, lines 11-54).

Regarding claim 5, Yamaguchi further discloses the image processing apparatus according to claim 1, wherein said image judging means judges the color image data by pattern matching (pattern matching, col. 3, lines 23-56) or color matching, or judges digital water mark information included in the color image data.

Regarding claim 6, Yamaguchi further discloses the image processing apparatus according to claim 3, wherein said judgment result input means inputs a result of the judgment ahead (preliminary decision, col. 9, lines 65-67 to col. 10, lines 1-38) of the color image data.

Regarding claim 7, Yamaguchi further discloses the image processing apparatus according to claim 1, wherein the color image data is inputted from a scanner (scanner 32, fig. 2, col. 8, lines 41-51), or a digital camera.

Regarding claim 8, Yamaguchi further discloses the image processing apparatus according to claim 1, wherein the color image data is inputted via a network (plurality of apparatuses connected via network including color image data inputs, fig. 1, col. 3, lines 23-57 and col. 5, lines 55-67 to col. 6, lines 1-23).

Regarding claim 9, Yamaguchi further discloses an image processing apparatus, comprising:

(1) receiving means (image reading section, fig. 5, col. 2, lines 11-60) for receiving color image data from any of an image generating apparatus having a forgery judging function (bill-recognition procession section, fig. 5) and an image generating apparatus not having (normal printing without forgery function, col. 10, lines 1-12) a forgery judging function;

(2) judging means (deciding means, col. 2, lines 10-61) for judging whether a color image composed of the color image data received by said receiving means is a specific image (paper money pattern, fig. 10); and

(3) output means (printer, fig. 1) for outputting the color image data so as to make an image forming unit form a color image by using the color image data received from said receiving means, wherein the image processing apparatus controls formation of the color image according to a result of judgment in the image generating apparatus having the forgery judging function (copying/printing is prohibited if money is detected, abstract and col. 2, lines 11-62) if the color image data is generated by the image generating apparatus having the forgery judging function, and controls formation of the color image according to a result of judgment by said judging means if the color image data is generated by the image generating apparatus not having the forgery judging function (normal printing is performed if a document contains no security data, col. 11, lines 53-67 to col. 12, lines 1-50).

Regarding claim 10, please see rejection rationale/basis as described in claim 7 above.

Regarding claims 11-13, please see rejection rationale/basis as described in claims 4-6 above.

Regarding claim 14, please see rejection rationale/basis as described in claim 8 above.

Regarding claim 16, please see rejection rationale/basis as described in claim 1 above.

Regarding claim 17, please see rejection rationale/basis as described in claim 9 above.

Regarding claim 18, please see rejection rationale/basis as described in claim 9 above.

Regarding claim 19, please see rejection rationale/basis as described in claim 4 above.

Regarding claim 20, please see rejection rationale/basis as described in claim 5 above.

Regarding claim 24, Yamaguchi further discloses the image processing apparatus system according to claim 18, wherein the first apparatus is a scanner (scanner 31, fig. 2, col. 8, lines 41-51), and the second apparatus is a printer (printing section, figs. 2 & 5).

Regarding claims 25-27, 31, please see rejection rationale/basis as described in claims 18-24 as described above.

Regarding claim 32, Yamaguchi further discloses wherein the data processing (instruction from CPU 41, col. 10, lines 5-57) to a specific image is downloaded from a computer.

Regarding claims 33, 47, Yamaguchi discloses an image processing method, wherein, in response to an image signal inputted is not a specific image as a result of judgment of whether the image signal inputted corresponds to the specific image, the image signal is stored as an image file (information storing means, col. 3, lines 23-56).

Regarding claim 34, please see rejection rationale/basis as described in claim 5 as described above.

Regarding claim 35, Yamaguchi further discloses the image processing method, wherein information of a specific image having been already judge is added to the image file (specific image pattern is stored in a memory file, col. 3, lines 23-56 and col. 7, lines 52-62).

Regarding claim 36, please see rejection rationale/basis as described in claim 4 above.

Regarding claim 37, please see rejection rationale/basis as described in claim 1 above.

Regarding claim 38, Yamaguchi further discloses the image processing method wherein the information of a specific image having been already judged is added to the image file (information storing means for storing reference pattern, col. 3, lines 22-56 and col. 11, lines 53-67 to col. 12, lines 1-43), and judgment at the time of printing is performed on the basis of the additional information (reference pattern, col. 11, lines 53-67).

Regarding claim 39, Yamaguchi further discloses the image processing method, wherein judgment of a specific image having been already judged is omitted (if no security data is detected when judging, then normal printing is performed, col. 10, lines 1-39, i.e., it is not necessary to perform an additional security detection when no protected data is detected) on the basis of the additional information.

Regarding claim 40, Yamaguchi discloses image processing method, comprising the steps of: (1) obtaining information (information storing means, col. 3, lines 23-56) that is added to an image file and denotes whether it has been already judged whether the image file includes a specific image (encoded security, col. 3, lines 23-56); (2) and judging the image file on specific images, which have not been judged yet, if the judgment has been already performed, and judging the image file on specific images, which can be used for judgment, if no judgment has been performed (to determine if the inputted image is copy-right protected, col. 11, lines 53-67 to col. 12, lines 1-42).

Regarding claims 41-42, please see rejection rationale/basis as described in claim 5 above.

Regarding claim 43, please see rejection rationale/basis as described in claim 9 above.

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Regarding claim 44, Yamaguchi further discloses the image processing method, wherein the information for supplying the specific image judging function is address information (col. 16, lines 41-65).

Regarding claims 45-46, 48, Yamaguchi further discloses the image processing method, wherein the image processing method is in a scanner/printer driver (programs for deciding whether or not the image of a document copied/printed out is a copy-prohibited image, col. 6, lines 55-63). It is known in the art, all printers/scanners have some type of memory (RAM 44, col. 7, lines 52-57) for storing programs (drivers) for processing image data (i.e., converting image data to PDL data before copy and/print).

Response to Arguments

5. Applicant's arguments filed 6/10/04 have been fully considered but they are not persuasive.

Regarding claims 1, 9, 16-18, 25, 33, and 40, the applicants argued the prior art reference does not teach the limitations as recited in the independent claims.

In response, Yamaguchi teaches all the limitations as recited in the independent claims. Please see claim rejection rationale/basis as described above for details. For example, regarding claim 1, Yamaguchi discloses: (1)input means (image reading section for reading inputted image data, fig. 5, col. 2, lines 11-60); (2) judging means (deciding means for deciding whether the inputted image contains confidential pattern, col. 2, lines 10-61); (3) image judging means (bill-recognition processing section, fig. 5, col. 11, lines 53-67 to col. 12, lines 1-50); (4) wherein said image judging means does not perform the judgment if the judgment by said judging means is being performed (if the current judgment is being performed, then it is not necessary to perform another judgment, cols. 10-12). Yamaguchi explicitly teaches a method and apparatus for detecting and preventing/prohibiting authorized duplication of confidential documents (i.e. money, traveler checks, and etc). Such methods include steps for determining whether the discrimination of inputted image is already performed or not, and if the discrimination of

inputted image is already completed, an additional and/or subsequent step to determine whether the inputted image contains confidential pattern and compare such detected patterns to the reference patterns. In addition, the applicants argued the prior does not provide any motivation of Yamaguchi's invention. Clearly, the Yamaguchi's invention is to prevent authorized duplication of confidential documents and/or to prevent forgery.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) U.S. 6427020 to Rhoads, discloses an apparatus/method for preventing forgery of security data (money, banknotes).

(2) U.S. 6515755 to Hasegawa, discloses an apparatus/method for preventing forgery of security data (money, banknotes).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham

TP

Gabriel Garcia
GABRIEL GARCIA
PRIMARY EXAMINER